



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-------------------------|------------------|
| 09/595,741 | 06/16/2000 | Terri Sorge | 13237-2580 MS #149442.1 | 1660 |

7590 06/17/2004

HOMER L. KNEARL
MERCHANT & GOULD P.C.
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

BLAIR, DOUGLAS B

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2142

13

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,741

Applicant(s)

SORGE ET AL.

Examiner

Douglas B Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12,16-21,23-30 and 33-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12,16-21,23-30 and 33-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1-49 are currently pending in this application.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the details of the user interface 104 in Figure 2 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 33-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 33-36 recite the limitation "computer system of claim 1" in their preambles.

There is insufficient antecedent basis for this limitation in the claims. For examination purposes it will be assumed that claims 33-36 were intended to depend on claim 19.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-2, 5, 7-8, 11-12, 16-20, 23, 25-26, 29-30, 34-37, 40-41, 44-45, and 47-49 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,818,447 to Wolf et al..

8. As to claim 37, Wolf teaches a computer-readable medium with instructions for automatically sending a pre-selected portion of a spreadsheet document to a recipient, having computer-executable instructions comprising: receiving a pre-selected portion of a document (col. 9, lines 18-54); determining content in the pre-selected portion of the document (col. 9,

Art Unit: 2142

lines 18-54); in response to determining the content, changing a user interface to correspond with the content (col. 9, lines 18-54); receiving a command through the user interface to send the pre-selected portion of the document to a recipient via electronic mail (col. 15, lines 23-52); in response to receiving the command to send the pre-selected portion for the document, coding the pre-selected portion of the document for transmission via electronic mail, launching an electronic mail application program, and inserting the coded pre-selected portion of the document into an e-mail message (col. 15, lines 23-52); detecting a command to apply an interface control to the pre-selected portion of the document; in response to receiving a command to apply an interactive control to the pre-selected portion, coding the interactive control for the pre-selected portion, the interactive control for providing spreadsheet functions to the pre-selected portion within the e-mail message without opening another program (col. 15, line 53-col. 16, line 9 and col. 23, line 59-col. 24, line 3), and inserting the coded interactive control into the e-mail message with the coded pre-selected portion of the document so that the recipient can apply the interactive control to the pre-selected portion (col. 15, lines 23-52); and sending the coded pre-selected portion of the document and the interactive control to the recipient via electronic mail (col. 15, lines 23-52).

9. As to claims 1-2 and 5, the limitations of claims 1-2 and 5 are found in claim 37 and therefore claims 1-2 and 5 are rejected for the same reasons as claim 37.

10. As to claims 19-20 and 23, the limitations of claims 19-20 and 23 are found in claim 37 and therefore claims 19-20 and 23 are rejected for the same reasons as claim 37.

11. As to claim 40, Wolf teaches the computer-readable medium of claim 37, wherein the pre-selected portion of the document comprises a data range comprising a single cell or multiple cells (col. 23, line 59-col. 24, line 3, cells are inherent to any spreadsheet).

Art Unit: 2142

12. As to claim 41, since a spreadsheet features tables claim 40 is rejected for the same reasons as claim 40.

13. As to claims 44 and 49, they are rejected for the same reasons as claim 40.

14. As to claims 7, 8, 11, and 18, they feature the same limitations as claims 40, 41, 44 and 49 and are rejected for the same reasons as claims 40, 41, 44, and 49.

15. As to claims 25, 26, 29, and 36, they feature the same limitations as claims 40, 41, 44 and 49 and are rejected for the same reasons as claims 40, 41, 44, and 49.

16. As to claim 45, Wolf teaches the computer-readable medium of claim 37, wherein the document comprises a word processing document or file (col. 22, lines 36-46).

17. As to claims 12 and 30, they feature the same limitations as claim 45 and are rejected for the same reason as claim 45.

18. As to claim 47, Wolf teaches the computer-readable medium of claim 37, wherein the interactive control comprising information to enable a recipient viewing the content of the pre-selected portion to manipulate the content (col. 23, line 59-col. 24, line 3).

19. As to claims 16 and 34, they feature the same limitations as claim 48 and are rejected for the same reason as claim 48.

20. As to claim 48, Wolf teaches the computer-readable medium of claim 37, wherein the interactive control comprises filtering, sorting, calculating, pivoting, and charting functions (col. 23, line 59-col. 24, line 3).

21. As to claims 17 and 35, they feature the same limitations as claim 48 and are rejected for the same reason as claim 48.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 3, 9-10, 21, 27-28, 38, and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,818,447 to Wolf et al. in view of U.S. Patent Number 5,748,188 to Hu et al..

24. As to claim 38, Wolf teaches the computer system of claim 37; however Wolf does not explicitly teach coding a document with HTML.

Hu teaches coding a pre-selected portion of a document in HTML that is to be e-mailed to a client (col. 10, lines 48-65).

It would have been obvious to one of ordinary skill in the Computer Networking art to combine the teachings of Wolf regarding the transfer of information via email with the teachings of Hu regarding the coding of a document with HTML because HTML is commonly used to describe any particular organization of information (Hu, col. 1, lines 24-32).

25. As to claim 42, Wolf teaches the computer system of claim 37; however Wolf does not explicitly teach the inclusion of a chart.

Hu teaches the inclusion of a chart in a document to be e-mailed to a client (col. 22, lines 64-67).

It would have been obvious to one of ordinary skill in the Computer Networking art to combine the teachings of Wolf regarding the transfer of information via email with the teachings

Art Unit: 2142

of Hu regarding the inclusion of a chart because a chart is a common way to convey data to a user.

26. As to claim 43, a chart is considered a graphic therefore claim 42 is rejected for the same reasons as claim 42.

27. As to claim 3, 9, and 10 they feature the same limitations as claims 38 and 42-43 and are rejected on the same basis as claims 21, 27 and 28.

28. As to claim 38 and 42-43 they feature the same limitations as claims 38 and 42-43 and are rejected on the same basis as claims 38 and 42-43.

29. Claims 6, 24, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,818,447 to Wolf et al..

30. As to claim 39, Wolf teaches the medium of claim 37 including sending pre-selected content however Wolf does not explicitly teach a button for sending.

Official notice is taken that it would have been obvious for one of ordinary skill in the Computer Networking art to include a button on a user interface at the time of the applicant's invention.

31. As to claims 6 and 24, they feature the same limitations as claim 39 and are rejected for the same reason as claim 39.

32. Claims 15, 33, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,818,447 to Wolf et al. in view of U.S. Patent Number 6,542,923 to Nguyen.

33. As to claim 46, Wolf teaches the medium of claim 37; however Wolf does not teach the use of ActiveX.

Art Unit: 2142

Nguyen teaches the use of ActiveX controls for use in a system for emailing content (col. 2, lines 53-67).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Wolf regarding the transfer of information via email with the teachings of Nguyen because ActiveX programs provide a convenient way to provide interaction (Nguyen, col. 1, lines 9-42).

34. As to claims 15 and 33, they feature the same limitation as claim 46 and are rejected for the same reasons as claim 46.

Response to Arguments

35. Applicant's arguments with respect to claims 1, 19, and 37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Art Unit: 2142

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

Douglas Blair
June 13, 2004

DBB

Jack B. Harvey
JACK B. HARVEY
SUPERVISORY PATENT EXAMINER